IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 20TH AUGUST 2007 / 29TH SRAVANA 1929

WP(C).No. 25248 of 2007(E)

PETITIONER:

P.A.LEELA, W/O.KUMARAN, 7/326,
KOTTAPPADI, KONGAD P.O., PALAKKAD DIST.
(FORMERLY WORKING AS PART TIME CASUAL SWEEPER,
VETERINARY DISPENSARY, KOTTAPPADY, KONGAD,
PALAKKAD).

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT,
DEPARTMENT OF ANIMAL HUSBANDRY
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR OF ANIMAL HUSBANDRY
VIKAS BHAVAN, THIRUVANANTHAPURAM.

3. THE DISTRICT ANIMAL HUSBANDRY OFFICER,
ANIMAL HUSBANDRY DEPARTMENT, PALAKKAD DIST.

BY GOVERNMENT PLEADER SRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 25248 OF 2007 E
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Dated this the 20th August, 2007

J U D G M E N T

Challenge in this writ petition is against Ext. P3 order whereby the Government have rejected the application of the petitioner for regularisation of his service in the post of Casual Sweeper. Three reasons were assigned in the impugned order. One is that in the Kongad Veterinary Dispensary the post of Part-time Sweeper is a permanent post, and the second reason is that sweeping area is more than 100 sq. m. It is also stated that the petitioner has not continuously worked as a Casual Sweeper.

2. Counsel for the petitioner seriously disputed the first two reasons. In so far as the 3rd reason is concerned, even going by the grounds in the writ petition itself and the records, it is the admitted case of the petitioner that names of others have been entered in the records as if they have worked in the post of Casual Sweeper. Counsel for the petitioner would say that those are the petitioner's own children. In any case the fact remains that as per records others have worked and that

goes against the claim of the petitioner. If the petitioner has not rendered continuous service, the petitioner is not entitled to the benefits of Ext. P5 and therefore I do not find anything illegal in Ext. P3 and the writ petition stands dismissed.

ANTONY DOMINIC
JUDGE

jan/-